THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.798 of 2007

Date:02.02.2007

Between:

K.Venkateswara Rao

.. PETITIONER

AND

Andhra Pradesh Eastern Power
Distribution Company Ltd. and others.

..RESPONDENTS

ORDER:

_

_

The petitioner is the owner of a site in Ward No.24 of Vishnalayam Street, Kakinada. His grievance in the writ petition is that the respondents are trying to erect a transformer opposite to his site. It is stated that though no power line is passing in front of the site of the petitioner, the respondents are taking steps to erect a transformer, which would not only hamper access to the site, but also pose danger to the inmates, in case a house is constructed.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondents.

The erection of transformer becomes inevitable for effective and proper supply of power. With the increase in demand, new transformers are to be set up. In the matter of identifying the site for erection of transformer, it is but natural that the respondents face some difficult situations. The only place

available for them would be the pavements on either side of the road; or a public place, if available. Notwithstanding the limited availability of places, the respondents are under obligation to ensure that no inconvenience is caused to the residents on account of erection of transformer. Apart from the place being occupied for the installation, the exposure of the live wires would have their own impact on the residents of the immediate neighbour-hood. It is in this context that the respondents have to strike a decent balance between meeting the public demand on the one hand and protecting the life and property of the individual concerned, on the other.

With the limited nature of material available before this Court, it is too difficult to come to a conclusion as to whether the respondents were justified in identifying a place in front of the site of the petitioner for erection of transformer. In case the petitioner finds that the transformer, if erected, would interfere with the proper enjoyment of the property, it shall be open to him to make a representation to the second respondent, within ten (10) days from today, narrating the nature of difficulty, which he may face if the transformer is erected. It shall also be open to him to indicate any other alternative for this purpose. The second respondent, in turn, shall take appropriate decision, within one week thereafter. Till such time, the erection of transformer shall not be undertaken in front of the site of the petitioner.

The writ petition is accordingly disposed of. There shall be no order as to costs.

_____

02.02.2007

Note: Issue C.C. in two days.
(B/o)
kdl

_

_